

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

NO. 2:15-CV-2-FL

ABU SALIM-GOULD,)	
)	
Plaintiff,)	
)	
v.)	
)	
MINISTER LOUIS FARRAKHAN;)	ORDER
NATION OF ISLAM; NATION OF)	
ISLAM PRISON REFORM)	
MINISTRY; and SUPPORT PRISON)	
REFORM, INC., NFP,)	
)	
Defendants.)	

This matter comes before the court on the memorandum and recommendation (“M&R”) of Magistrate Judge Robert B. Jones, Jr., pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), wherein it is recommended that the court dismiss the case upon frivolity review under 28 U.S.C. § 1915(e)(2)(B). No objections to the M&R have been filed. In this posture, the issues raised are ripe for ruling. For the reasons that follow, the court adopts the recommendation of the magistrate judge and dismisses the complaint.

DISCUSSION

The district court reviews *de novo* those portions of a magistrate judge’s M&R to which specific objections are filed. 28 U.S.C. § 636(b). Absent a specific and timely filed objection, the court reviews only for “clear error,” and need not give any explanation for adopting the M&R. Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir.1983). Upon careful review of the record, “the court may accept, reject, or

modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

Plaintiff filed a pro se complaint on January 1, 2015, alleging that defendants violated federal law and the United States Constitution in various ways, including embezzlement, extortion, fraud, conspiracy, slavery, human rights violations, unconscionability, abuse of power, freedom of contract, misrepresentation, and exploitive contracts. Plaintiff seeks \$5,000,000 in nominal damages, \$5,000,000 in compensatory damages, and \$5,000,000 in punitive damages, along with various forms of injunctive relief.

In the M&R, it is recommended that the complaint be dismissed for failure to state a claim because plaintiff fails to allege facts showing that defendants are acting under the color of state law. Where plaintiff does not object to this ground for dismissal set forth in the M&R, the court reviews this determination for clear error. Diamond, 416 F.3d at 315. Finding no such error, plaintiff’s complaint must be dismissed for failure to state a claim.

CONCLUSION

Upon considered review of the M&R and the record generally, the court ADOPTS the findings and recommendations of the magistrate judge in full. Plaintiff’s complaint is DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B). The clerk is DIRECTED to close this case.

SO ORDERED, this the 10th day of March, 2015.



LOUISE W. FLANAGAN
United States District Judge